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CONLEY'S LAWYER WILL

ASK IMMEDIATE TRIAL

Attorney William Smith will, today in the criminal branch of the superior court, make formal demand that his negro client, Jim Conley, the factory sweeper whose testimony convicted Leo Frank of the Phagan murder, be given immediate trial.

Following a conference late Monday between Attorney Smith and Solicitor Dorsey, Smith announced that he would waive a jury trial for his client and await the court's decision as to whether his man shall be sentenced under a misdemeanor or felony charge.

The indictment against Conley charges him with being an accessory after the fact in the murder of the Phagan girl. Attorney Smith has declared openly that there is no law on the statute books in this state under which his client can be convicted and has hinted that all the court can do with the negro is to free him.

If Attorney Smith succeeds in having Judge Ben Hill place the negro on trial all there will remain to do today is to have Solicitor

Dorsey and Attorney Smith argue the points of law involved and then the court will pronounce sentence.

Whether Judge Hill will allow the negro to be tried today is not yet known. It is within the power of the court, even upon formal demand, to hold a prisoner over the next session of court. In Judge Hill's court, the negro will not necessarily have to be tried until some time in January.
